

RECEIPT  
#5

PATENT

Our Docket: P-LJ 4859

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Ruoslahti and Pasqualini )  
Serial No.: 09/922,227 )  
Filed: August 2, 2001 )  
For: METHOD OF IDENTIFYING )  
MOLECULES THAT HOME TO A )  
SELECTED ORGAN IN VIVO )  
\_\_\_\_\_ )

Examiner: Not Yet Assigned

Group Art Unit: 1619

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination's Customer Service Center, Washington, D.C. 20231, on October 16, 2001.

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

October 16, 2001  
Date of Signature

Commissioner for Patents  
Attention: Office of Initial Patent  
Examination's Customer Service Center  
Washington, D.C. 20231

**CORRECTION OF FILING RECEIPT**

Sir:

The filing receipt issued in the above-identified application is incorrect. Attached is an updated Patent Application Bibliographic Data Sheet indicating the correct Domestic Priority data.

Also attached is a copy of the Utility Patent Application Transmittal form as filed August 2, 2001 (Exhibit A), indicating that priority application serial no. 08/862,855 was filed on May 23, 1997. This application issued as U.S. patent no. 6,068,829 on May 30, 2000. A Certificate of Correction issued October 2, 2001, in U.S. patent no. 6,068,829 reflects the correct application filing date of priority application serial no. 08/862,855 as May 23, 1997 (Exhibit B). Therefore, the Domestic Priority data should read (with corrections in bold):

Inventors: Ruoslahti and Pasqualini  
Serial No.: 09/922,227  
Filed: August 2, 2001  
Page 2

Domestic Priority data as claimed by applicant:

THIS APPLICATION IS A CON OF 09/227,906 01/08/1999  
WHICH IS A CON OF 08/862,855 **05/23/1997** PAT 6,068,829  
WHICH IS A CIP OF 08/813,273 03/10/1997 ABN  
WHICH IS A CIP OF 08/526,710 09/11/1995 [AT 5,622,699

A copy of the Filing Receipt with the updated change noted thereon is attached as Exhibit C. Applicants accordingly request that this correction be made of record and that an amended Filing Receipt be issued.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge any fees to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

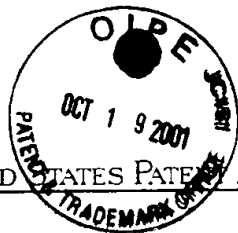
Respectfully submitted,

Date: October 16, 2001

Andrea L. Gashler

Andrea L. Gashler  
Registration No. 41,029  
Telephone No.: (858) 535-9001  
Facsimile No.: (858) 535-8949

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
**USPTO CUSTOMER NO. 23601**



## UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2  
f not ok cc  
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/922,227	08/02/2001	1619	0.00	P-LJ 4859		6	1

CONFIRMATION NO. 7275

23601  
CAMPBELL & FLORES LLP  
4370 LA JOLLA VILLAGE DRIVE  
7TH FLOOR  
SAN DIEGO, CA 92122

## FILING RECEIPT



\*OC00000006812070\*

Date Mailed: 09/28/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Erkki Ruoslahti, Rancho Santa Fe, CA;  
Renata Pasqualini, Houston, TX;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/227,906 01/08/1999  
WHICH IS A CON OF 08/862,855 06/23/1997 PAT 6,068,829 \*  
WHICH IS A CIP OF 08/813,273 03/10/1997 ABN  
WHICH IS A CIP OF 08/526,710 09/11/1995 PAT 5,622,699  
(\* ) Data inconsistent with PTO records.

05/23/1997

## Foreign Applications

If Required, Foreign Filing License Granted 09/28/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title

Method of identifying molecules that home to a selected organ in vivo

EXHIBIT C

## Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# COPY



UTILITY PATENT APPLICATION TRANSMITTAL  
(only for continuation and divisional  
applications under 37 CFR 1.53(b))

Docket No.: P-LJ 4859

Prior Application Info:  
Examiner: S. Priebe  
Group/Art Unit: 1632

Address to: COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231



23601

PATENT TRADE-MARK OFFICE

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER: EL 856980606 US

DATE OF DEPOSIT: August 2, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
ADDRESSED TO: COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231.

Patrick Lee

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

This is a request for filing a  
  X   continuation        divisional

application under 37 CFR 1.53(b), of pending prior application  
serial no. 09/227,906, filed January 8, 1999.

Title: METHOD OF IDENTIFYING MOLECULES THAT HOME TO A SELECTED  
ORGAN IN VIVO

Inventor(s) (full name of each inventor): Erkki Ruoslahti  
Renata Pasqualini

No abandonment of, or termination of proceedings, has occurred in  
the above-identified prior application.

1.   X   An application based on the prior application as filed  
and containing no new matter is enclosed, consisting  
of:  
  1   page application cover sheet  
 56  pages of specification (includes claims and  
abstract)  
  0   sheets of drawing(s).
2.   X     3   pages of a copy of the oath or declaration as  
originally filed on October 24, 1997, in prior  
application (37 CFR 1.63(d)), U.S. serial no.  
08/862,855, filed May 23, 1997, is enclosed.
3.        A signed statement DELETING inventor(s) named in the  
prior application (37 CFR 1.63(d) (2) and 1.33(b)) is  
attached.
4.   X   Nucleotide and/or Amino Acid Sequence Submission is  
enclosed:  
  X   computer readable copy of sequence listing  
  X   paper copy of sequence listing, pages 41 - 54  
  X   Statement Under 37 C.F.R. § 1.821(f) and (g)  
       Request to Use Computer Readable Form of Sequence  
Listing From Another Application  
       Other:

EXHIBIT A

5. ☒ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
6. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior application.
7. ☐ A preliminary amendment is enclosed.
8. Small entity status:  
a. ☐ A small entity statement is enclosed.  
b. ☐ A small entity statement was filed in prior application serial no. \_\_\_\_\_, and such status is still proper and desired.  
c. ☒ is no longer claimed.
9. ☒ Amend the specification by:  
☐ inserting before the first paragraph on page 1: or  
☒ deleting the paragraph on page 1 regarding related applications and inserting therefor:  
  
This application is a continuation of application serial no. 09/227,906, filed January 8, 1999, which is a continuation of U.S. Serial No. 08/862,855, filed May 23, 1997, which is a continuation-in-part of U.S. Serial No. 08/813,273, filed March 10, 1997, which is a continuation-in-part of U.S. Serial No. 08/526,710, filed September 11, 1995.
10. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claims must be retained for filing purposes.)
11. The prior application is assigned of record to The Burnham Institute.
12. The power of attorney in the prior application is to Cathyrn Campbell.
13. ☐ A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.
14. ☒ A return receipt postcard is enclosed.
15. ☒ A Patent Application Bibliographic Data Sheet is enclosed.
16. ☐ Request for Nonpublication and Certification is enclosed.
17. Also enclosed:

Inventors: Ruoslahti and Pasqualini  
Docket No.: P-LJ 4859  
Page 3

The filing fee is calculated below:

	NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	6 - 20	=	0	x	\$9 \$18	00
INDEPENDENT CLAIMS	1 - 3	=	0	x	\$40 \$80	00
MULTIPLE DEPENDENT CLAIMS _____ YES _____ X _____ NO					\$135 \$270	00
BASIC FEE					\$355 \$710	
TOTAL FEE						

18. \_\_\_\_\_ A check in the amount of \$\_\_\_\_\_ is enclosed. A duplicate copy of this sheet is enclosed.
19. X The filing fee is not enclosed. Do not charge our deposit account.
20. \_\_\_\_\_ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. \_\_\_\_\_ A duplicate copy of this sheet is enclosed.

Address all future communications to:

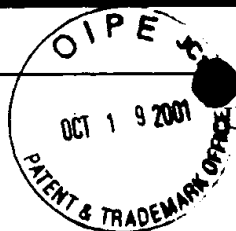
Cathryn Campbell  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive, 7<sup>th</sup> Floor  
San Diego, California 92122  
telephone: (858) 535-9001  
facsimile: (858) 535-8949  
USPTO CUSTOMER NO. 23601

Respectfully submitted,

Date: August 2, 2001

Andrea L. Gashler  
Andrea L. Gashler  
Registration No. 41,029  
Attorney for Applicant  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122

\_\_\_\_\_ inventor(s) \_\_\_\_\_ X attorney or agent of record  
\_\_\_\_\_ assignee of complete \_\_\_\_\_ filed under Sec. 1.34(a)  
interest



UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO. : 6,068,829  
DATED : May 30, 2000  
INVENTOR(S) : Ruoslahti et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title page,

Item [22], please delete "Jun." and replace with -- May --.

Column 3,

Line 63, please delete "CDNA" and replace with -- cDNA --.



Attest:

*Brenda Moore*

Attesting Officer

Signed and Sealed this

Second Day of October, 2001

*Nicholas P. Godici*

NICHOLAS P. GODICI

Acting Director of the United States Patent and Trademark Office